

SENATE BILL 3792

By Johnson

AN ACT to create a special juvenile court in Williamson County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. As used in this Act, unless the context otherwise requires:

- (1) "Court" means the juvenile court of Williamson County.
- (2) "Judge" means the judge of the juvenile court of Williamson County.
- (3) "Clerk" means the juvenile court clerk of Williamson County.

SECTION 2. There is created, in Williamson County, a juvenile court to be known and styled as the juvenile court of Williamson County. Such court shall be a court of record and shall be presided over by a judge who shall have the qualifications and salary provided by this act.

SECTION 3. A judge for such court shall be appointed by the Williamson County legislative body prior to January 1, 2013 who shall be licensed to practice law in this state and who possesses all other qualifications of judges of inferior courts, as provided by law. The appointed judge shall take office on January 1, 2013 and shall continue to serve until the next general election. Thereafter, the judge shall be elected in the 2014 August general election, and then subsequent county general elections. The term of office shall be eight (8) years, and such judge shall be licensed to practice law in the state and shall possess all the qualifications of the inferior courts. The judge shall take and subscribe to the same oath of office as that subscribed for the judges of the circuit and general session courts. In the event the office of the judge shall become vacant by reason of death, resignation, retirement, or any other reason before the expiration of said term of office, such vacancy shall be filled by a majority vote of the Williamson County commission members until the next county general election.

SECTION 4. The Williamson County juvenile court clerk shall continue to serve as clerk of the Williamson County juvenile court and any of such clerk's deputies shall also be deputies for the juvenile court created by this Act.

SECTION 5. The judge and clerk of such juvenile court shall have all of the jurisdiction, powers, duties, and authority of other juvenile court judges and clerks as provided in Tennessee Code Annotated, Title 37 or any other general law.

SECTION 6. The judge shall be a full time juvenile judge and shall exercise exclusive juvenile jurisdiction in Williamson County. Nothing in this Act shall restrict the ability of the judge to participate in interchange with other judges should cause exist making an interchange necessary or for mutual convenience under the provisions of Tennessee Code Annotated § 17-2-208.

SECTION 7. Effective January 1, 2013, the annual salary of the position of Williamson County juvenile judge shall be established by the county legislative body to be effective for the entire term for which the judge is elected. The county legislative body shall annually appropriate from such funds as are necessary and appropriate for the orderly operation and administration of the court herein created.

SECTION 8. The judge is authorized to make and promulgate rules and regulations for the administration and efficient operation of the court and to fix the times and places at which all persons within the jurisdiction of the court shall have their causes set for disposition.

SECTION 9. The judge shall, pursuant to the laws and regulations of Williamson County, appoint such personnel as may be necessary to efficiently carry on the business of the court. All such appointments shall be limited by the total appropriations made for such personnel during each fiscal year by the Williamson County legislative body.

SECTION 10. The Williamson County legislative body shall provide the court with facilities adequate and sufficient to allow the court to perform its duties as a juvenile court.

SECTION 11. All unfinished and pending matters in the court or courts exercising juvenile court jurisdiction, prior to the date this Act takes effect, shall be transferred to the court created by this Act at the close of business on the day preceding the day this Act becomes

effective. On such date, all official books, records, and other documents pertaining to any matter within the jurisdiction of the juvenile court shall be delivered to such court.

SECTION 12. If any provision of this Act or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect other provisions, or application of the Act which can be given effect without the invalid provision or application, and to that end, the provisions of this Act are declared to be severable.

SECTION 13. This Act shall have no effect, unless it is approved by a two-thirds (2/3) vote of the county legislative body of Williamson County on or before December 1, 2012 pursuant to Tennessee Code Annotated § 8-3-202. Its approval or non- approval shall be proclaimed by the presiding officer of the Williamson County legislative body and certified by the presiding officer to the secretary of state.

SECTION 14. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 13.